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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

**IN RE: HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

ALL ACTIONS

Master Docket No. 11-CV-2509-LHK

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO SEAL, PURSUANT TO
CIVIL LOCAL RULE 79-5(d),
PORTIONS OF PLAINTIFFS'
OPPOSITION TO DEFENDANTS'
JOINT ADMINISTRATIVE MOTION
TO SUPPLEMENT THE RECORD AND
THE DECLARATION OF DR.
EDWARD E. LEAMER IN
OPPOSITION TO DEFENDANTS'
ADMINISTRATIVE MOTION**

1 Pursuant to the Northern District of California Civil Local Rules 7-11 and 79-5(d),
2

3 Plaintiffs move to seal the following information:
4

- 5 (i) Portions of Plaintiffs' Opposition to Defendants' Joint Administrative
6 Motion for Leave to Supplement the Record in Support of Their
7 Opposition to the Motion for Class Certification and Motion to Strike Dr.
8 Leamer's Expert Report, specifically:
9
- 10 a. Page 2, line 24, after "Dr. Murphy" through Page 2, line 25, before
11 "See Murphy Dep."
 - 12 b. Page 2, line 25, after "it is undisputed that" through Page 2, line 27,
13 before "Id. at 194:10-196:10."
 - 14 c. Page 2, line 28, after "admit that" through the end of sentence.
 - 15 d. Page 3, line 1, after "¶ 15" through Page 3, line 2, before ";" Murphy at
16 20, n. 35"
 - 17 e. Page 3, line 13, after "randomly," through Page 3, line 14, before "Dr.
18 Leamer demonstrated "
 - 19 f. Page 3, line 23, after "individual managers'" through Page 2, line 24,
20 before "Opp. at 7."
 - 21 g. Page 3, line 26, after "different job titles." through Page 3, line 27,
22 before, "Consolidated Reply at 24."
 - 23 h. Page 4, line 1, after "such as job title," through Page 4, line 2, before,
24 "Id."
 - 25 i. Page 4, line 4, after "explains" through Page 4, line 4, before
26 "Defendants do not assert"
 - 27 j. Page 4, line 7, after "charts show" through Page 4, line 7, before "of
28 certain employees"
 - k. Page 4, line 7, after "of certain employees" through Page 4, line 7,
before "Admin"

1. Page 4, line 24, from the beginning of the line through Page 4, line 24, before “Apple employees over time”
 - m. Page 4, line 25, after “Ex. A at 4-6” through the end of the paragraph on Page 5, line 11; and

(ii) Portions of the Declaration of Dr. Edward E. Leamer in Opposition to Defendants’ Administrative Motion, specifically:

 - a. Page 1, line 3, after the text “I responded to” through Page 1, line 4, before “which purported”
 - b. Page 1, line 4, after “which purported” through Page 1, line 5 before “Leamer Reply ¶ 62.”
 - c. Page 1, line 6, after “controlling for” through Page 1, line 8 before “*Id.* ¶¶ 62-64.”
 - d. Page 1, line 15, after “Declaration improperly” through the end of the paragraph on Page 1, line 18.

(iii) The entire Exhibit A to the Declaration of Dr. Edward E. Leamer in Opposition to Defendants’ Administrative Motion.

None of the information at issue was designated confidential by Plaintiffs. Instead, Apple Inc. and Intel Corporation designated the above noted information as Confidential or Attorneys-Eyes Only under the Stipulated Protective Order (Modified by the Court), Dkt. No. 107. Therefore, the requirements under Local Rule 79-5(d) apply.

Pursuant to Local Rule 79-5(c), the proposed redacted versions of Plaintiffs' Opposition and the Leamer Declaration have been attached hereto as Exhibits A and B, respectively. Pursuant to this Court's January 11, 2013 Order, attached hereto as Exhibits C and D, respectively, are Plaintiffs' Opposition and the Leamer Declaration with the proposed redactions highlighted in yellow. Pursuant to Local Rule 79-5(c)(3) and (4), the present motion and all exhibits are being served and lodged with the Clerk in paper form.

1 Dated: January 14, 2013

2 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

3 By: /s/ Dean M. Harvey
4 Dean M. Harvey

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